

**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF REGISTERED NURSING MINUTES**

DATE: June 7-8, 2007

TIME: 9:00 am Both Days

LOCATION: Doubletree Hotel San Francisco Airport
835 Airport Blvd.
Burlingame, CA 94010

PRESENT: LaFrancine Tate, Public Member, President
Susanne Phillips, MSN, RN, APRN-BC, FNP, Vice-President
Andrea Guillen Dutton, Public Member
Carmen Morales-Board, MSN, RN, NP
Elizabeth O. Dietz, Ed.D., RN, CS-NP
Grace Corse, RN, Vice President
Janice Glaab, Public Member
Nancy L. Beecham, RNC, BS

NOT PRESENT: Susanne Phillips, MSN, RN, APRN-BC, FNP (June 8, 2007)

ALSO PRESENT: Ruth Ann Terry, MPH, RN, Executive Officer
Heidi Goodman, Assistant Executive Officer
Christina Sprigg, Manager, Licensee and Administrative Services
Elliot Hochberg, Manager, Enforcement Program
Carol Stanford, Manager, Diversion/Probation Program
Louisa Gomez, Manager, Licensing Standards & Evaluation; Advanced Practice
Louise Bailey, MEd, RN, Supervising NEC
Janette Wackerly, MBA, RN, NEC
Miyo Minato, MN, RN, NEC
Katie Daugherty, MN, RN, NEC
Geri Nibbs, RN, MN
Carol Mackay, RN, NEC
Michael Cohn, Administrative Law Judge
Hannah Rose, Deputy Attorney General
Leslie Brast, Deputy Attorney General
LaVonne Powell, DCA, Legal Counsel
Wendy Garske, Enforcement Program
Kimberly Ott, Enforcement Program
Eleanor Calhoun, Recording Secretary

Thursday, June 7, 2007

1.0 CALL TO ORDER

L. Tate, Board President, called the meeting to order at 9:05 am and had the Board Members introduce themselves. The Board welcomed students from De Anza College.

2.0 DISCIPLINARY MATTERS

The Board convened in closed session pursuant to Government Code Section 11126(c)(3) to deliberate on these matters and other disciplinary matters including stipulations and proposed decisions, and pursuant to Government Code Section 11126(e)(1, 2(A)) to confer with Legal Counsel regarding pending litigation.

CONNER-ROSCOE, Paris

GRANTED, 5 years probation

HOLTZCLAW, Cynthia

DENIED

VASQUEZ, Ernest

GRANTED

WALLING, Mary Joanne

DENIED

Closed Session Discussion Items

L. Tate, Board President, called the closed session meeting to order at 12:15 pm. The closed session adjourned at 12:40 pm.

Friday, June 8, 2007

L. Tate, Board President, called the meeting to order at 9:10 am and had the Board Members introduce themselves.

3.0 OPEN FORUM

None

4.0 APPROVE/NOT APPROVE MINUTES OF April 12-13, 2007 Board Meeting

MSC: Dietz/Corse that the Board approve minutes from the April 12-13, 2007. 7/0/0

5.0 REPORT ON BOARD MEMBERS' ACTIVITIES

C. Morales-Board,

E. Dietz, presented BRN 101 to ANA/C on RN Day.

L. Tate, attended NCSBN Attorney and Investigator Training with several staff from the BRN's enforcement and probation programs.

6.0 EXECUTIVE OFFICERS' REPORT ON BOARD AND DEPARTMENT ACTIVITIES

R. Terry presented this report

1.0 DCA Director Appointed

On April 16, 2007, Governor Schwarzenegger announced the appointment of Carrie Lopez as the new Director of the Department of Consumer Affairs. Ms. Lopez served as the executive director of the Coro Foundation since 1997.

2.0 Board's Budget Update

Budget Hearings – On April 11, 2007, the Senate Budget Subcommittee No. 4 approved the Board's budget that was on consent calendar. On May 1, 2007, the Assembly Budget Subcommittee No. 4 approved the Board's budget on the consent calendar. The Board's budget for FY 2007/2008 will be \$22.8 million.

Budget Change Proposals (BCPs) - Through the BCP process, beginning July 1, 2007, the Board's personnel years (PYs) will increase from 93 to 98. The Board will absorb the costs associated with the increase in PYs and will monitor the budget closely to determine if BCPs will be necessary for FY 2009/10. The Board did not submit any BCPs for FY 2007/08.

3.0 Department of Consumer Affairs (DCA) Updates

Board Member Orientation – In accordance with Business and Professions Code Section 453, Board Members are required to attend DCA's Board Member Orientation within one year of their appointment. The next orientation will take place in Oakland, California on September 19, 2007.

Departures – Sandra Mayorga, Personnel Officer accepted a promotion with the Department of Insurance. The Board appreciates all the support and insight she provided during her tenure with the DCA. Her last day with the department was May 30, 2007, and we wish her the very best. Randy Pitts, Facilities Manager accepted a promotion with the Bureau of Automotive Repair. He was instrumental in organizing the department-wide office relocation and worked tirelessly during this month-long process.

DCA's Contract Process Improvement Workgroup Update- The workgroup finalized the revisions to the documents used in securing bids and preparing contract request packages for meeting rooms, outreach events, equipment maintenance, exam sites, security, and applicable contract amendments. The workgroup will reconvene in September.

4.0 Public Record Request

The Board continues to comply with public record request and responds within the required timeframes that are set in the Government Code Section 6250. For the period of April 1 through June 1, 2007, the Board has received and processed 38 public record requests.

5.0 Continuity of Operations/Continuity of Government (COOP/COG)

On May 3, 2007, Eleanor Calhoun, the Board's COOP/COG planner attended a CPR-Automated External Defibrillator (AED) training class. AEDs will be installed in strategic locations throughout the building.

All DCA COOP/COG plans continue to undergo revisions to ensure that the language is consistent throughout all of the Departments plans.

6.0 BRN 2005-2006 Annual School Report – Pre-Licensure Nursing Programs Data Summary

On March 1, 2007, the BRN 2005-2006 Annual School Report – Data Summary and Historical Trends and an interactive database was posted on the Board's Website. The Pre-Licensure Nursing Programs Data Summary is a supplemental report that includes newly

enrolled nursing students, students who completed a nursing program, faculty data, nursing program data, school data and appendices.

7.0 Nursing Shortage Activities

On May 29, 2007, the Legislative Analyst Office, which is a nonpartisan office that provides fiscal and policy information and advice to the Legislature released its report on Ensuring an Adequate Health Workforce: Improving State Nursing Programs. This report identifies ways to increase students in registered nursing programs. The report can be found on their Website at www.loa.ca.gov.

8.0 NCSBN IT Summit

On May 14-16, 2007, Louisa Gomez, Licensing Program Manager and Heidi Goodman, Assistant Executive Officer attended the National Council's Information Technology Summit in Portland, OR. The summit focused on the use of technology to enhance Board operations that included, streaming audio and video for meetings and the ability to archive the sessions; mobile technologies; network security, data protection, and disaster recovery planning, that are challenges faced by all licensing boards; North Carolina presented their on-line application process and paperless licenses, since they are no longer providing a pocket license. Other topics of interest included: project management, and licensing software that maintains legacy systems. Additionally, an overview was provided by NCSBN's IT staff highlighting the work of the three Nursys committees and the enhancements that will be incorporated into Nursys by the end of this year.

9.0 Personnel

The following personnel changes have transpired since the last Board Meeting:

New Hires	Classification	Board Program
Kim Ott	Assoc Governmental Program Analyst	Enforcement
Promotions	Classification	Board Program
Natalie Weber	Office Technician	Call Center
Separations	Classification	Board Program
Rod Veloso	Key Data Operator	Licensing Support

Retirements

Grace Arndt began her state career twenty-five years ago at Atascadero State Hospital as a Heath Services Specialist. In November 1994, she joined the Board of Registered Nursing as a Nursing Education Consultant in the Los Angeles office. Grace was the staff liaison to the Education Licensing Committee and has been instrumental in maintaining and reporting the statistical data collected for the Annual School Report. Grace will officially retire on July 7, 2007.

Carol Bell began her state career at the Department of Health Services in 1980. She joined the Board of Registered Nursing in 1988 as a Probation Monitor in the Enforcement Program. Shortly thereafter, she became a Nursing Education Consultant with the Board until her departure in 1994, when she went to work as a Nursing Consultant III with the Department of

Corrections. Carol also worked for the Department of Aging and the Department of Health Services before returning to the Board in 2004 as a Nursing Education Consultant. Carol officially retired on February 28, 2007.

7.0 REPORT OF THE ADMINISTRATIVE COMMITTEE

L. Tate, Chairperson

7.1 Information Only: Summary of Findings 2006 Survey Report California Active and Inactive RNs

J. Spetz, UCSF, presented this report

The 2006 study is the fifth in a series of surveys designed to collect and evaluate nursing workforce data and identify trends that may assist policy makers and the public in addressing the nursing shortage and workplace issues. Prior studies were conducted in 1990, 1993, 1997, and 2004. The University of California, San Francisco (UCSF), School of Nursing and Center conducted the 2006 survey for the Board of Registered Nursing for California Health Workforce Studies in collaboration with the University of California, Berkeley, Survey Research Center. Joanne Spetz, Ph.D., UCSF, served as the principal investigator for the study. Data analysis was performed by UCSF.

The survey was mailed to 9,000 RNs who hold an active license, as well as 1,000 with inactive or lapsed licenses. The option was given to complete the survey by mail or online, with approximately 8% being completed online. For those RNs with an inactive or lapsed license, the survey was customized to include only questions that would be pertinent to that population.

The survey will be posted on the BRN website, and disseminated to interested parties. The next biannual Survey of RNs is due for completion in June 2009.

7.2 Information Only: Review Recommendations for upcoming Delegate Assembly

R. Terry presented this report

One of the major revisions to the bylaws is the recommendation to increase the number of NCSBN board members from nine (9) to eleven (11), and the directors' at large positions by two. Vote will be taken at the upcoming Delegate Assembly, August 7-10, 2007 in Chicago.

The second recommendation of interest is to rename the Nomination Committee to the Succession Committee. The Succession Committee will not only be involved in recruiting Board of Director positions, but also Leadership Development.

8.0 REPORT OF THE LEGISLATIVE COMMITTEE

L. Tate, Chairperson

8.1 Information Only: Adopt/Modify Positions on the following Bills, and any other Bills of Interest to the Board

L. Bailey presented this report

AB 64 Berg: Uniform Emergency Volunteer Health Practitioners Act
MSC: Morales/Dietz that the Board support AB 64. 6/0/0

AB 68 Dymally: Schools
MSC: Dietz/Corse that the Board support AB 68. 6/0/0

AB 342 Saldana: Pupil health: individuals with exceptional needs
MSC: Morales-Board/Phillips that the Board support AB 342. 6/0/0

AB 573 Horton: Community colleges: Nursing Education Programs
MSC: Guillen Dutton/Corse that the Board support AB 573. 6/0/0

AB 865 Davis: State agencies: live customer service agents
MSC: Dietz/Morales-Board that the Board watch AB 865. 6/0/0

AB 1025 Bass: Professions and Vocations: Licensure
MSC: Dietz/Morales-Board that the Board oppose AB 1025. 6/0/0

AB 1436 Hernandez: Healing Arts: Scope of Practice
MSC: Dietz/Morales-Board that the Board watch AB 1436. 6/0/0

AB 1559 Berryhill: Public Postsecondary Education: Degree Nursing Programs
MSC: Guillen Dutton/Morales-Board that the Board support AB 1559. 6/0/0

AB 1605 Lieber: The State Department of Public Health: State Public Health Nurse
MSC: Guillen Dutton/Philips that the Board support AB 1605. 6/0/0

SB 102 Migden: Blood Transfusions
MSC: Morales-Board/Beecham that the Board watch SB 102. 6/0/0

SB 139 Scott: Nursing education
MSC: Beecham/Morales-Board that the Board support SB 139. 4/2/0 – Dietz & Corse

SB 236 Runner: Health Care: Cal CARE Program
MSC: Morales-Board/Dietz that the Board support SB 236. 6/0/0

SB 374 Harman: Military service: benefits
MSC: Corse/Morales-Board that the Board watch SB 374. 5/1/0 - Dietz

SB 993 Aanestad: Psychologists: Scope of Practice: Prescribing Drugs
MSC: Dietz/Corse that the Board watch SB 993. 6/0/0

9.0 REPORT OF THE DIVERSION/DISCIPLINE COMMITTEE

G. Corse, Chairperson

9.1 Information Only: Enforcement Program Update and Statistics

E. Hochberg presented this report

A copy of the Enforcement Program statistics for the first nine months of the fiscal year (July 2006 through March 2007) was provided for review.

Projections continue to indicate that 63% of all disciplinary matters will be settled by stipulated agreement, which would be the highest percentage on record. Conversely, projections now indicate that only 11% of all disciplinary matters will go to administrative hearing, which would be the lowest percentage on record. The remaining number consists of default decisions (one out of four decisions).

The number of accusations filed is projected to be at or near to the highest number on record (339). The number of licenses surrendered or revoked is projected to be 54% of all disciplinary actions, and the number placed on probation (including those with suspension time) is projected to be 40%. The number of cases pending at the Attorney General's (AG's) Office has decreased since the last report. However, this number continues to be higher than in prior years.

The Enforcement Program currently has 2,212 open complaints and cases, from the point of complaint intake until referral to the Attorney General's Office.

The Board will continue to monitor statistics, with special emphasis on the increasing caseload at the Attorney General's Office. Additionally, the Enforcement Program is monitoring the caseload and the number of hours being used by the Division of Investigation.

Healthcare and Integrity Protection Data Bank (HIPDB) Webinar

On April 19, 2007, Enforcement Program staff participated in a website seminar (webinar) through the National Council of State Boards of Nursing (NCSBN). The main objective of the webinar was to prepare nursing boards for the changes and upgrades that have been developed by the NCSBN Information Technology staff, including the conversion from using Nursys discipline codes to using the HIPDB codes. The program included tips for reporting and a discussion of the HIPDB narratives.

One of the responsibilities of Enforcement Program staff is to input disciplinary action information into the NCSBN Nursys database. The NCSBN acts as the Board's agent in providing this information to the Health Resources and Services Administration (HRSA), which is the federal agency for the HIPDB database.

9.2 Information Only: Diversion Program Update and Statistics

C. Stanford presented this report

A Diversion Liaison Committee meeting was held on March 22, 2007 in Emeryville, California. The major discussion surrounded EtG urine testing and the need for consistency between the DEC's. Additionally, a Nurse Support Group Facilitators meeting will be scheduled later this year.

Contract Update

All seven Boards continue to meet monthly with DCA's Contract Unit to draft the Request for Proposal (RFP) that will be released later this year for the next Diversion Program contract that will be awarded in 2008.

Diversion Evaluation Committees (DEC)

There are currently four vacancies as follows: one Physician and three Registered Nurses. Recruitment efforts continue.

Statistics

A copy of the Monthly Statistical Summary Report for February and March 2007 was provided for review. As of March 31, 2007, there were 1,207 successful completions in our Diversion Program.

9.3 Information Only: Probation Program Update and Statistics

C. Stanford presented this report

Program Update

On April 10, 2007, the Diversion/Probation Program and the Enforcement Program participated in a teleconference with NCSBN and representatives from many states to discuss Prescription Drug Monitoring Programs that are being adopted in various states. This Program provides access to information that may be beneficial to the Board's Probation Program and we are reviewing our processes to determine the benefit.

Statistics

Below are the current statistics for the Probation Program through April 20, 2007.

MALE	128
FEMALE	337
CHEMICAL DEPENDENCY CASES	261
PRACTICE CASES	142
SOUTHERN CALIFORNIA	233
NORTHERN CALIFORNIA	232
PENDING AT THE AG	54
ADVANCED CERTIFICATES	41
TOTAL IN-STATE PROBATIONERS	465

9.4 Approve/Not Approve: (a) Diversion Evaluation Committee Member Appointments/Reappointments/Term Extensions/Transfers (b) Information Only: Diversion Evaluation Committee Resignations/Term Expirations

C. Stanford presented this report

In accordance with B&P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees. Each Committee for the Diversion Program is composed of three registered nurses, a physician, and a public member with expertise in chemical dependency and/or mental health.

APPOINTMENTS

Below are the names of candidates who were interviewed and are being recommended for appointment to the Diversion Evaluation Committees (DEC). Their applications and résumés are attached. If appointed, their terms will expire June 30, 2011.

NAME	TITLE	DEC
Marshall D. Alameida	Nurse	Bay Area
Sara Ohringer	Nurse	San Diego 0
Patricia Butler	Nurse	North Central

REAPPOINTMENTS

The following DEC members are requesting second term appointments. If their appointments are approved, their terms will expire on June 30, 2011.

NAME	TITLE	DEC
Romana Zvereva	Physician	Los Angeles
Suzette Otlewis	Nurse	Orange
Mike Mayo	Public	Fresno
David Silverman	Public	San Jose

TERM EXTENSIONS

The following DEC members are requesting an extension of their appointments. They have served two terms and are interested in a two-year extension of their appointment. If approved, their terms will expire June 30, 2009.

NAME	TITLE	DEC
Robert Rowden	Physician	Sacramento
Denise Hughes	Nurse	Bay Area
Grace Murphy	Nurse	Los Angeles
Janis Jones	Nurse	Palm Springs
Gordon Ogdon	Nurse	Fresno
Barbara Leva	Nurse	Burbank
Bernardine Irwin	Nurse	Ontario
Daniel Lewis	Physician	Sacramento
Rosemary Miller	Nurse	Oakland
Jack Nussbam	Public	Oakland

TRANSFER

Below is the name of a DEC member who is requesting a transfer.

NAME	TITLE	FROM	DEC	TO	DEC
Cindy Simpson	Nurse	Burbank	8	Palm Springs	6

INFORMATION ONLY

Below are the names of Diversion Evaluation Committee members who have had to resign for personal reasons or whose terms will expire June 30, 2007. Their efforts are recognized and certificates and letters of appreciation on behalf of the Board are being mailed out.

NAME	TITLE	DEC
Cathy Horowitz	Nurse	Sacramento
James Collier	Physician	Bay Area
Jo Chavis	Nurse	Bay Area
Anna Fisher	Nurse	Bay Area
Mary Sloper	Nurse	Los Angeles
Duane Bradford	Public	Palm Springs
Eugene Feldman	Physician	Burbank
Elaine Bradley	Nurse	San Diego
Clarence Harper	Physician	Oakland

MSC: Dietz/Morales-Board that the Board approve the DEC member appointments, reappointments/term extensions/transfers. 6/0/0

10.0 REPORT OF THE EDUCATION/LICENSING COMMITTEE

S. Phillips, for E. Dietz, Chairperson

10.1 Approve/Not Approve: Education/Licensing Committee Recommendations:

M. Minato presented this report

Continue Approval of Nursing Education Programs:

- East Los Angeles College Associate Degree Nursing Program

Approve Major Curriculum Revision

- California State University, Chico, Baccalaureate Degree Nursing Program
- California State University, Fullerton, Entry Level Master's Degree Nursing Program
- National University Baccalaureate Degree Nursing Program
- Antelope Valley Associate Degree Nursing Program
- Ohlone College Associate Degree Nursing Program

MSC: Corse/Tate that the Board approve the recommendations from the Education/Licensing Committee. 6/0/0

10.2 Ratify Minor Curriculum Revisions

M. Minato presented this report

According to Board policy, Nursing Education Consultants may approve minor curriculum changes that do not significantly alter philosophy, objectives, or content. Approvals must be reported to the Education/Licensing Committee and the Board.

The following programs have submitted minor curriculum revisions that have been approved by the NECs:

- California State University, Chico, Baccalaureate Degree Nursing Program
- California State University, Fullerton, Entry Level Master's Degree Nursing Program
- Butte College Associate Degree Nursing Program

- College of Marin Associate Degree Nursing Program
- Riverside Community College Associate Degree Nursing Program

The following program has submitted a progress report that has been accepted by the NECs:

- Western Career College, LVN to RN Associate Degree Nursing Program

MSC: Tate/Morales-Board that the Board approve the minor curriculum revisions. 6/0/0

Agenda reordered:

10.4 Accept/Not Accept Feasibility Study for Concordia University, Irvine, Accelerated Baccalaureate Degree Nursing Program

M. Minato presented this report

Dr. Colette York is the Interim Director for the Nursing Program at Concordia University, Irvine.

Concordia University, Irvine, (CUI) is a part of a 10-campus university system that extends across the United States.

CUI was established in 1972 and began offering classes in 1976. CUI is accredited by Western Association of Schools and Colleges (WASC) and received the latest accreditation in 2005. CUI is planning to submit a change to request approval for the addition of the nursing program. Currently over 2,300 students are enrolled at CUI.

Dr. Maria E. Bedroni, SNEC, has been working with Dr. York since November 2006 for the finalization of this feasibility study. The feasibility study received on March 1, 2007 summarized data that showed the shortage of RN positions in California and in the Orange County as well as health care issues and trends. CUI is proposing to implement a Second-Degree Accelerated BSN program similar to the model used at Mount St. Mary's College, Los Angeles. CUI asserts that a Second Degree BSN program is a reasonable and effective method to add to the nursing pool within the Orange County, and this program option would not compete with current RN programs offered in the vicinity. The closest Accelerated BSN Program is offered at CSU Long, BSN program.

The first cohort is scheduled to start in the summer semester. However, the starting semester is flexible in order to meet clinical placement needs.

The CUI's Board of Regent has given an approval for the budgetary provisions for the Department of Arts and Sciences to plan for a nursing program for the years 2007 through 2013.

The curriculum for the Second Degree Accelerated BSN Program will be based on the mission and goals of the University and the core values established by Commission on Collegiate Nursing Education (CCNE): Professional Values; Core competencies; Core Knowledge; Role Development. Jean Watson's Philosophy and Science of Caring will be the unifying theme that will be integrated in the curriculum.

The curriculum will consist of three semesters, 15-weeks per semester, and includes a summer semester. In the second semester, the curriculum shows four separate clinical rotations in the 14-week period. This would mean that students take two clinical courses each 7 weeks. Medical-Surgical courses will be taken each semester, and the last medical-surgical course is a preceptor course. The program will require 74 to 78 units for prelicensure content: Nursing 44 units (21 theory and 23 clinical); Sciences 24 to 28 units; Communications 6 units. There are additional 16 units for the BSN degree (9 non-nursing units; 7 nursing units). Prerequisites (36 to 40 units) consist of all of general studies courses, except for the Bioethics course, which must be completed prior to starting the nursing program. CUI hopes to start in May 2008 with a cohort of 30 students. CUI will seek CCNE accreditation upon receiving the Board's initial approval.

MSC: Morales-Board/Beecham that the Board accept the feasibility study for Concordia University, Irvine, Accelerated BSN program. 6/0/0

Agenda items 10.3 and 10.5 were presented together.

10.3 Accept/Not Accept Feasibility Study for West Coast University LVN-RN Associate Degree Nursing Program – Orange County Campus

C. Mackay presented this report

10.5 Grant/Not Grant Initial Approval of West Coast University LVN-RN Associate Degree Nursing Program – Orange County Campus

C. Mackay presented this report

Dr. Dianne Moore is Executive Dean of Nursing at West Coast University, and was present at the meeting.

The BRN initially approved the LVN to RN Associate Degree nursing program at the WCU-LA campus in April 2005. At that time, the Board stipulated that graduates from the LA campus must demonstrate success on the NCLEX (>70% for the first time candidates) prior to expanding to another campus.

The first cohort of nursing students began the LVN to RN nursing courses on the LA campus in April 2006. WCU-LA graduated its first class on February 3, 2007. Of the 39 graduates, 37 took the NCLEX by March 31, 2007. Of the 37 first time NCLEX candidates, 91.89% (34 candidates) passed the licensing exam.

Since WCU elected to have a separate nursing administrative team (director and assistant director) for each of its campuses, the process for initial approval of a new nursing program was required. This involved both a Feasibility Study and Self Study for the Orange County campus. On March 13, 2007, the Board received a Feasibility Study from WCU-OC for a LVN to RN Associate Degree Nursing Program (Agenda Item 6.0). The Board received the WCU-OC Self-Study March 19, 2007.

Carol Mackay, NEC, conducted an initial approval review in two phases. On April 5, 2007, a conference call was conducted with Dr. Moore and representatives from West Coast University administration team. A site visit was conducted on April 22, 2007. The

proposed program complies with the Board's rules and regulations. No recommendations were made.

If approved, WCU-OC is positioned to admit 40 to 42 students to the first nursing course in June 2008. This first student cohort will graduate in April 2009. The program plans to admit 40-42 students five times per year.

WCU is in the process of hiring a nursing program director for the OC campus. The candidate pool consists of three qualified individuals. WCU plans to have the new nursing program director in place in the Summer 2007.

Faculty will be recruited, both full time and adjunct, for each of the areas of the curriculum (content experts). The recruitment strategy is multifaceted. WCU has a dedicated nursing recruiter conducting a California/national recruitment campaign. By full program implementation, a faculty of 8 full time and of 8 part time faculty is anticipated.

WCU's intention is to keep the nursing program elements (philosophy, program objectives, policies and procedures, evaluation plan, curriculum, etc.) the same on the LA and OC campuses. To achieve this, intercampus committees for the faculty, administrators, curriculum, etc. will be established. In addition, WCU will host a Nursing Summit in July 2007 to discuss the implementation of the WCU-OC nursing program.

With respect to student services, WCU-OC will replicate those available on the LA campus, i.e. admissions, financial aid, library and computer lab. The WCU computer system is fully networked to provide services and information to all WCU campuses, students, and faculty.

Currently, WCU has approved BRN contracts with 8 hospitals in OC, and is in the process of obtaining additional contracts/clinical placements. WCU is a member of the Orange County/Long Beach (OC/LB) Consortium for student clinical placements. The self-study referenced a letter from this consortium indicating that there are clinical sites available. Using the 2006-2007 OC/LB Consortium student placement schedule, WCU was able to demonstrate availability of clinical placements for WCU-OC students without displacing other schools. WCU, also, plans to use additional clinical facilities for student experiences, which are not part of the consortium.

In addition to the LVN to RN nursing program proposal, WCU is also planning to implement an RN to BSN degree program on both the LA and OC campuses this Summer (2007). The theory portion of this program will go online Fall 2007. Following this, WCU plans are to implement a generic BSN program on both campuses in 2008. In conjunction with this, the university plans to seek NLN accreditation.

Pursuant to board approval, a visit to the Manchester site will be scheduled in Spring 2008 before the nursing courses begin in June 2008. A second visit will be scheduled in April 2009 when the first WCU-OC student cohort graduates.

MSC: Tate/Beecham that the Board accept the feasibility study for West Coast University LVN to RN ADN Program-OC Campus. 6/0/0

MSC: Morales-Board/Guillen Dutton that the Board grant initial approval of West Coast University LVN to RN ADN Program-OC Campus. 6/0/0

10.6 Approve/Not Approve California Approved Programs in Partnership with Out of State Online Programs: Southwestern College Associate Degree Nursing Program in partnership with University of Oklahoma Health Science Center, Online Accelerated Baccalaureate Degree Nursing Program, and San Diego State University Baccalaureate Degree Nursing Program in partnership with University of Oklahoma Health Science Center, Online Accelerated Baccalaureate Degree Nursing Program
C. Mackay presented this report

Representatives present: Southwestern College - Cathy McJannet, nursing program director; Cynthia Russell, nurse educator for Orbis Educational Services who is providing the IT platform for the online program; Francine Wetherby, nurse educator – University of Oklahoma, and Jennifer Jacoby, Chief Nursing Officer – Sharp Healthcare, San Diego

Section 2729 of the NPA requires that nursing services rendered by a student be incidental to the course of study in a Board approved school of nursing. As a result, an out of state nursing program seeking clinical placements for its students in California must establish a Memorandum of Understanding (MOU) with a BRN approved nursing program. Such a MOU has been established between Southwestern College (SWC) and University of Oklahoma Health Science Center (OUHSC), specifically, the online accelerated BSN program.

Pursuant to the MOU, OU students are permitted to take OU's clinical nursing courses in California. The students will be graduates of the OU program, and take the NCLEX as out of state graduates.

A copy of the MOU, detailing the responsibility of the two institutions, was provided for review. The out of state nursing program is held to the same standard as California nursing programs. The following list describes key requirements in the MOU.

- 1) Both academic institutions are required to meet all applicable State and Federal laws and regulations, as well as healthcare facility requirements.
- 2) Only qualified students, as described in the MOU, will be placed in clinical facilities that have a current BRN approved contract with SWC. OU students will successfully complete evaluation of clinical skill sets in the clinical nursing laboratory prior to application in the clinical setting.
- 3) The OU students will not displace any existing relationship with any other nursing program as a result of this program.
- 4) The MOU identifies the clinical courses and the instructional model that will be utilized in the clinical area. OU plans to use a traditional instructional model, one faculty for a group of students, in all of the clinical courses with the exception of the preceptorship at the end of the program.

5) OU clinical courses using the traditional instructional model are required to establish faculty to student ratios consistent with CCR Section 1424(k), not to exceed a maximum ratio of one faculty per 10 students. OU clinical faculty will have an active, clear, current, California license and hold a master's degree or higher in nursing or related field. Clinical faculty will meet, at a minimum, CCR Section 1425(e).

6) The OU preceptorship will meet the California BRN Preceptor Guidelines (9/99). The faculty of record for the OU preceptorship will meet the BRN requirements for instructor (CCR Section 1425(d)). All clinical preceptors used by the program will meet the BRN requirements for assistant instructor (CCR Section 1425(e)).

7) OU will provide a Clinical Education Director (CED) in California. The CED will have the same licensing and educational requirements as a clinical faculty member listed above in number 5. In addition, this individual will meet the requirements for instructor (CCR Section 1425(d)). The CED's responsibilities are further described in the MOU.

8) SWC will submit reports to the BRN, as required, to monitor the partnership.

In addition to the MOU between SWC/SD State and OU, OU has established separate contracts with Sharp HealthCare and Orbis Educational Services, Inc. Sharp HealthCare will provide clinical placements, simulation lab, and office space. Orbis will provide the technology for the online courses and assist with student services.

The BRN reporting and monitoring procedures related to the partnership have been drafted. These activities will ensure compliance of OU's nursing program to the BRN requirements.

MSC: Beecham/Tate that the Board approve the MOU between Southwestern College and the University of Oklahoma Health Sciences Center. 6/0/0

MSC: Beecham/Tate that the Board approve the MOU between San Diego State University BSN and University of Oklahoma Health Sciences Center. 6/0/0

10.7 Information Only: 2005-2006 Regional Annual School Reports

C. Mackay presented this report

The Regional Annual School Reports present the historical analyses of nursing program data from the 2000-2001 BRN Annual School Survey through the 2005-2006 survey for the nine economic regions in California. Each region has a separate report. The data is in aggregate form, and describe the overall trends in these regions over the specified periods. The data items addressed include the numbers of nursing programs, enrollments, completions, retention rates and student and faculty census information.

The nine regions include: (1) Northern California, (2) Northern Sacramento Valley, (3) Greater Sacramento, (4) Bay Area, (5) San Joaquin Valley, (7) Central Coast, (8) Southern California I (Los Angeles and Ventura Counties), (9) Southern California II (Orange, Riverside, and San Bernardino Counties), and (10) Southern Border Region. The Central Sierra (Region 6) does not have any nursing programs and was, therefore, not included in the analyses.

Reports will be available to the public on the BRN website (<http://www.rn.ca.gov/>).

10.8 Information Only: NCLEX Pass Rate Update

K. Daugherty presented this report

The Board of Registered Nursing receives quarterly reports from the National Council of State Boards of Nursing (NCSBN) about the NCLEX-RN test results by quarter and with an annual perspective. The following tables show this information for 12 months and by each quarter.

NCLEX RESULTS – FIRST TIME CANDIDATES

April, 1, 2006 – March 31, 2007

JURISDICTION	TOTAL TAKING TEST	PERCENT PASSED %
California	8,156	88.17
United States and Territories	114,348	88.39

CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES

By Quarters and Year – April 1, 2006-March 31, 2007

<i>04/01/06- 06/30/06*</i>		<i>07/01/06- 09/30/06*</i>		<i>10/01/06- 12/31/06*</i>		<i>01/01/07- 03/31/07*</i>		<i>04/01/06- 03/31/07*</i>	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
1,464	87.02	3,430	88.54	523	79.35	2,739	90.00	8,156	88.17

*Includes (7), (4), (12) & (5) “re-entry” candidates

The Nursing Education Consultants monitor the NCLEX results of their assigned programs. Current procedure provides that after each academic year, if there is substandard performance (below 70% pass rate for first time candidates), the NEC requests that the program director submit a report outlining the program's action plan to address this substandard performance. Should this substandard performance continue in the second academic year, an interim visit is scheduled and a written report is submitted to the Education/Licensing Committee. If there is no improvement in the next quarter, a full approval visit is scheduled within six months. A report is made to the Education /Licensing Committee following the full approval visit.

The Board will continue to monitor results.

11.0 Report of the Nursing Practice Committee

G. Corse for S. Phillips, Chairperson

11.1 Information Only: Information Only: Update: Nurse Practitioners Schedule II Controlled Substance, Education Requirement prior to filing an application with the Drug Enforcement Administration (DEA)

J. Wackerly presented this report

With increasing frequency, nurse practitioners and the public are inquiring about how nurse practitioners with a furnishing number can obtain Schedule II controlled substances DEA registration. NPs wishing to furnish Schedule II controlled substances are required to

complete a Board of Registered Nursing approved continuing education course and or *successfully completed the required pharmacological content for Schedule II controlled substances in a board approved nurse practitioner educational program* (added). The Board of Registered Nursing requires a minimum 3-hour approved continuing education and or minimum of 3-hour Schedule II pharmacology content in an approved NP educational program. The Board of Registered Nursing is required to verify each nurse practitioner's completion of the required Schedule II controlled substance continuing education or NP educational program curriculum content.

Assembly Bill 1196, (Montanez), Chapter became effective January 1, 2004. The new law amended BPC 2836.1 expanding the certified nurse practitioner furnishing authority to include pharmaceutical drugs that are classified as Schedule II controlled substances under the California Uniform Controlled Substance Act. The furnishing nurse practitioner with a DEA registration may be approved Standardized Procedure or Protocol furnish schedule II controlled substances.

11.2 Information Only: Amendment to Sections 51305 – Physician Services, and Section 51476 – Keeping and Availability of Records (DHS, CCR, Title 22, amendment to reflect SB 259, Chapter 640, Statutes of 2003)

J. Wackerly presented this report

The Department of Health Services, DHS, requests a review of proposed changes to sections of the California Code of Regulation, Title 22, 51305-Physician Services and Section 51476- Keeping and Availability of Records. This review is requested to ensure accuracy, and is pursuant to Business and Professions Code Section 2725 (e) "No state agency other than the board may define or interpret the practice of nursing for those licensed pursuant to provisions of this chapter".

DHS requests confirmation from the board that it is appropriate to limit the scope of practice of nurse practitioners and/or nurse midwives, in the manner specified in federal regulations and that the board is in agreement with the referencing of Title 42, Code of Federal Regulations as indicated in the attached document, section 51305 (k) (1) and 51476 (a) (7) of Title 22, California Code of Regulation.

The Board of Registered Nursing does not require a physician counter signature on progress notes when the service rendered by the nurse practitioner or nurse midwife is within their scope of practice. The DHS concern is that there seems to be at least two instances where this may not be in accordance with federal regulations.

The text of 51305 (k) (1) will be amended to state that entries in the patient's health record by NMPs (Non-physician providers) shall be reviewed by the primary care physician to the extent required by BPC and shall be reviewed by the primary care physician to the extent required by section 2700 et seq., and Title 16 CCR Section 1399.500 et seq.

Section 51476 (a) (7) will be amended to also limit the required countersignatures to requirement at BPC Section 2700., Title 16 CCR section 1399.50 et seq., section 4160 et seq, and Title 22, 51240 (c). Providers reviewing Title 22, may be unaware of the additional requirement.

A copy of the information packet MLN Matters, CMS, Non-Physician Practitioner Questions and Answers, was provided for review. MLN Matters Number SE0418 question # 9 documents: in accordance with 42 CFR, Section 483.40(f), required physician tasks, such as verifying and signing orders in NF (nursing facility), can be delegated under certain circumstances to a physician assistant, nurse practitioner, or clinical nurse specialist who is not an employee of the facility but who is working in collaboration with a physician.

Therefore, in order to comply with survey and certification requirements, the physician must sign all orders written by a NPP (non-physician provider) who is employed by the nursing facility (whether or not it is within the NP's scope of practice). The second exception is with section 485.631(b) (iv) states that the physician must sign the records of all inpatients cared for by nurse practitioners, nurse midwives, and physician assistants (regardless of scope of practice).

11.3 Information Only: NP Scope of practice and patient safety issues: California Association of Nurse Practitioners

At the May 3, 2007 committee meeting, representatives from the California Association of Nurse Practitioners attended the meeting to discuss scope of practice and safety issues. Testimony was given and a copy of the letters of testimony was provided for review.

12.0 Public Forum
None

Meeting Adjourned at 11:40 a.m.

Ruth Ann Terry M.P.H., R.N.

Ruth Ann Terry, MPH, RN
Executive Officer

Lafayette Tate

L. Tate
President